	Application No.	Applicant(s)
Notice of Allowability	09/922,816	BLESSER, BARRY A.
	Examiner	Art Unit
	Andrew C. Flanders	2644

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *the amendment filed 30 September 2005*.

2. ☒ The allowed claim(s) is/are *1,2,5,13-20,33,34,42,43,54 and 57-59*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some*   c) ☐ None of the:

       1. ☐ Certified copies of the priority documents have been received.

       2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

       3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

       1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

    Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____.

HUYEN LE
PRIMARY EXAMINER

DETAILED ACTION

Response to Arguments

The declaration under 37 CFR 1.132 filed 30 September 2005 and the arguments regarding the rejections based upon Applicant's design choice are sufficient to overcome the rejection of claims 1, 2, 13, 42, 53 and 57.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Bruce Jobse on 02 December 2005.

In **Claims 1, 2 and 13** change the term "comb filter-like amplitude" to - - comb filter amplitude - -

Please amend the following claims to read as below:

Claim 42:

~~A computer-usable signal-bearing medium~~ An apparatus for processing a signal

comprising:

~~logic configured to provide~~ a notchpass filter comprising:

~~logic configured for a~~ first delay module for delaying the signal by a first

delay value;

~~logic configured for a~~ first multiplier for scaling the signal according to a

first gain;

~~logic configured for a~~ second multiplier for scaling the signal according to

a second gain; and

~~logic configured for~~ the first delay module and first and second multipliers

operatively coupled to form a signal processing circuit path; and

logic configured for supplying signals to first module, and first and second

multipliers to process the signal so that the notchpass filter has a comb

filter-~~like~~ amplitude and delay output response characterized by a plurality

of peak delay maximum at certain frequencies and decreased gain

minimum at the same certain frequencies.

Claim 43:

The apparatus ~~signal-bearing medium~~ of claim 42 further comprising:

logic configured for combining the notchpass filter with an energy transmitting

network comprising:

logic configured for a second module for delaying the signal by a second

delay value; and

logic configured for a third multiplier for scaling the signal according to a

third gain; and

logic configured for the second delay module and third multipliers

operatively coupled to form a signal processing circuit path that both

delays and scales the signal; and

logic configured for supplying signals to second module and third multiplier

to process the signal so that the combined notchpass filter and energy

transmitting network have a comb filter-like amplitude and delay output

response characterized by a plurality of peak delay maximum at certain

frequencies and decreased gain minimum at the same certain

frequencies.

Claim 53:

A computer program product for digitally filtering data representing an audio

signal and generating data representing processed audio signal data, the computer

program product comprising a computer usable readable medium having embodied

therein computer readable program code comprising:

i)   first delay program code for delaying the audio signal data by a first delay

value;

ii)   first multiplier program code for scaling the audio signal data according to
a first gain coefficient;

iii)   second multiplier program code for scaling the audio signal data according
to a second gain coefficient;

the first delay program code, and first multiplier program code and second
multiplier program code operatively coupled to form a first audio signal processing path,
the ~~digital filter~~ computer program product for digitally filtering having a comb filter ~~like~~
amplitude and delay output response characterized by a plurality of delay maximum and
a plurality of gain minimum at identical frequencies.

Claim 57:

A computer program product for digitally ~~processing~~ filtering data representing an
audio signal and generating data representing processed audio signal data, the
computer program product comprising a computer ~~usable~~ readable medium having
embodied therein program code comprising:

i)   first delay program code for delaying the audio signal data by a first delay
value;

ii)   first multiplier program code for scaling the audio signal data according to
a first gain coefficient;

iii)   second multiplier program code for scaling the audio signal data according
to a second gain coefficient;

the first delay program code, and first multiplier program code and second

multiplier program code operatively coupled to form a first audio signal processing path,

the ~~digital filter~~ processed audio signal data having a comb filter-~~like~~ amplitude and

delay output response characterized by a plurality of delay maximum and a plurality of

gain minimum at identical frequencies.

Also, please re-enter claims 33 and 34 removing their withdrawn status. They

should read as follows:

Claim 33:

A method for processing a signal comprising:

(A) providing a notchpass filter comprising:

   a first delay module for delaying the signal by a first delay value

   a first multiplier for scaling the signal according to a first gain;

   a second multiplier for scaling the signal according to a second gain;

   the first delay module and first and second multipliers operatively coupled

to form a signal processing circuit path; and

(B) supplying signals to first module, and first and second multipliers to process

the signal so that the notchpass filter has a comb filter-~~like~~ amplitude and delay output

response characterized by a plurality of peak delay maximum at certain frequencies and

decreased gain minimum at the same certain frequencies.

Claim 34:

The method of claim 33 further comprising:

(C) combining the notchpass filter with an energy transmitting network

comprising:

> a second module for delaying the signal by a second delay value; and
>
> a third multiplier for scaling the signal according to a third gain; and
>
> the second delay module and third multipliers operatively coupled to form
>
> a signal processing circuit path that both delays and scales the signal; and

(D) supplying signals to second module and third multiplier to process the signal

so that the combined notchpass filter and energy transmitting network have a comb

filter-like amplitude and delay output response characterized by a plurality of peak delay

maximum at the certain frequencies and decreased gain minimum at the same certain

frequencies.

Allowable Subject Matter

Claims 1, 2, 13 – 20, 42, 43, 53, 54 and 57 – 59 are allowed.

The following is an examiner's statement of reasons for allowance:

The declaration under 37 CFR 1.132 in conjunction with Applicant's arguments

regarding the applied design choice rejection overcome the previous rejection and place

the claims in condition for allowance.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew C. Flanders whose telephone number is (571) 272-7516. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on (571) 272-7848. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HUYEN LE
PRIMARY EXAMINER

acf